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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.2981 OF 1989

Suresh R. Agarwal ...Plaintiff
V/s.
State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2982 OF 1989

Suresh R. Agrawal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2983 OF 1989

Sharad N. Gadoclia ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2985 OF 1989

Nana Sajjan Sonawane ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2986 OF 1989

Udai Mahendra Pathak ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2987 OF 1989

Kishan Ramlal Chirmade ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2988 OF 1989

Kishan Ramlal Chirmade ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2989 OF 1989

Eknath Yadao Mali ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2990 OF 1989

Subhash Hiralal Jain ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2991 OF 1989

Janakiram Ramchand Sapkal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2992 OF 1989

Shambhaji Shankar Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr ...Defendants

WITH

SUIT NO.2993 OF 1989

Ramdas Popatlal Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2994 OF 1989

Prakash Appaji Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2995 OF 1989

Vijay Ramdas Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2996 OF 1989

Manohar Vana Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2997 OF 1989

Vijay Tulsiram Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2998 OF 1989

Ramesh Sitaram Patil ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.2999 OF 1989

Shitalprasad Rameshwar Singh ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3000 OF 1989

Bhupnarayan Vijay Bahadur Singh ...Plaintiff
V/s.

The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3001 OF 1989

Omprakash Ramjivan Sharma ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3002 OF 1989

Surendra Ramjivan Sharma ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3003 OF 1989

Suresh Jaikishan Sharma ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3004 OF 1989

Sanjay Kumar Surana ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3005 OF 1989

Bipinchandra Jawarilal Surana ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3006 OF 1989

Pramod Purshottam Ghodke ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3007 OF 1989

Pralhad Trimbak Ghanhari ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3134 OF 1989

Bhoonarayan Vijay B. Singh ...Plaintiff
V/s.
The State of Maharashtra & Ors. ...Defendants

WITH

SUIT NO.3135 OF 1989

Bhoonarayan Vijay B. Singh ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3136 OF 1989

Bhoonarayan Vijay B. Singh ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3139 OF 1989

Nana Sajjan Sonawane ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3142 OF 1989

Jankiram Ramchandra Sakpal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3143 OF 1989

Jankiram Ramchandra Sakpal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3145 OF 1989

Udai Mahendra Pathak ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3146 OF 1989

Udai Mahendra Pathak ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUIT NO.3147 OF 1989

Uday Mahendra Pathak ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUMMARY SUIT NO.3133 OF 1989

Bhoonarayan Vijay B. Singh ...Plaintiff
V/s.
The State of Maharashtra & Ors. ...Defendants

WITH

SUMMARY SUIT NO.3137 OF 1989

Nana Sajjan Sonawane ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUMMARY SUIT NO.3138 OF 1989

Nana Sajjan Sonawane ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUMMARY SUIT NO.3140 OF 1989

Janakiram Ramchandra Sakpal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUMMARY SUIT NO.3141 OF 1989

Janakiram Ramchandra Sakpal ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

WITH

SUMMARY SUIT NO.3144 OF 1989

Udai Mahendra Pathak ...Plaintiff
V/s.
The State of Maharashtra & Anr. ...Defendants

Mr.S. Vaishnawa, Advocate, i/b. N.N. Vaishnawa & Co., for the Plaintiffs.

Mr.A.Y Sakhare, Sr. Counsel, with Mrs.Geeta Shastri with Mr.Yashodhan Sakhare, Advocates, for Defendant Nos.1 and 2.

CORAM : A.V. NIRGUDE, J.

DATE : 5TH SEPTEMBER, 2008.

P.C.:

. Mr.Vaishnawa, the learned Advocate for the Plaintiffs, states that he has returned the papers to the Plaintiffs and has not been

appearing for the Plaintiffs for want of necessary instructions.

2. Mr.A.Y. Sakhare, learned Senior Counsel for the Defendant Nos.1 and 2, informs that these Suits have peculiar and checkered history. I need not mention all the facts that are informed to me across the Bar, but I have realised that the Plaintiffs have not only stopped giving necessary instructions to their Advocate, but probably have stopped prosecuting the cases. However, I cannot say this with certainty today. In case the Plaintiffs are not interested in prosecuting the cases, the Suits should be dismissed without framing of issues.

3. In order to find out as to whether the Plaintiffs or any one of them is interested in prosecuting the Suit, I would pass following order which would suffice the ends of justice :-

"O R D E R"

"The office shall issue letters to the Plaintiffs at the addresses mentioned in the plaints informing them that their

personal presence is required before the Court for recording statements under Order X Rule 2 of the C.P.C.

The office shall further inform them that in case they do not appear before the Court on the next date of hearing, the Suits would be dismissed for non-prosecution.

Mr.Vaishnawa also agreed to send similar letters to the Plaintiffs.

The matter Stands adjourned to 3rd October, 2008, for dismissal."

[A.V. NIRGUDE, J.]